

underscored material = new
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1 constant analysis; and

2 WHEREAS, for the most part, results of those analyses have
3 supported statutory, data-based refinements to the structure of
4 the formula while maintaining the philosophical principle of
5 educational equity for all students; and

6 WHEREAS, over the past five years, the state also has made
7 significant efforts to ensure funding for adequate school
8 facilities, to improve teacher quality and to establish and
9 implement challenging academic standards and benchmarks; and

10 WHEREAS, even before passage of the federal No Child Left
11 Behind Act of 2001, New Mexico had established and begun to
12 implement an assessment and accountability system to hold
13 schools responsible for teaching and students for learning; and

14 WHEREAS, in 2002, state legislation eliminated most social
15 promotion for students and required schools to provide and pay
16 for remediation and academic improvement programs; and

17 WHEREAS, these efforts and the reform measures passed in
18 House Bill 212 in 2003 are essential to providing opportunities
19 for all New Mexico children to succeed; and

20 WHEREAS, while eager to implement programs that promise to
21 improve the academic performance of their students, school
22 districts often struggle to fund both current and new programs
23 and requirements with available resources; and

24 WHEREAS, school districts are compelled to provide
25 federally mandated programs without adequate funding, including

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1 many provisions of the No Child Left Behind Act of 2001 and the
2 Individuals with Disabilities Education Act that were mandated
3 but never fully funded; and

4 WHEREAS, school districts sometimes find themselves in the
5 position of having to "rob Peter to pay Paul", a situation that
6 limits the success of both the old and the new mandates;

7 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
8 STATE OF NEW MEXICO that the legislative education study
9 committee, in cooperation with the public education department,
10 be requested to study the issue of mandates from federal and
11 state law and department rules, what those mandates cost,
12 whether they are fully or only partially funded by the law or
13 rule requiring them and whether funding lapses or increases
14 over time, as required; and

15 BE IT FURTHER RESOLVED that the committee make
16 recommendations to the legislature on its findings, including
17 state laws or rules that could be modified or eliminated to
18 ease requirements placed on school districts while still
19 maintaining the state's high expectations for student
20 achievement; and

21 BE IT FURTHER RESOLVED that copies of this memorial be
22 transmitted to the director of the legislative education study
23 committee and the secretary of public education for appropriate
24 distribution.